

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEWART RIGGS,

Plaintiff,

V.

PIERCE COUNTY SHERIFF'S
DEPARTMENT, *et al.*,

Defendants.

Case No. C08-5161 FDB/KLS

ORDER GRANTING DEFENDANTS'
MOTION TO COMPEL DISCOVERY

Before the Court is the motion of Defendant Pierce County Sheriff's Department and Deputies Darby, Larsen, Donato, and Armstrong for an order compelling Plaintiff Stewart Riggs to answer Defendants' Second Set of Interrogatories and Requests for Production. Dkt. # 27. Defendants' motion is supported by the Declaration of Attorney Daniel R. Hamilton. Dkt. # 28. Plaintiff has filed no response to the motion. Under Local Rule 7 (b)(2) failure to file papers in opposition to a motion may be deemed as an admission that the motion has merit.

I. DISCUSSION

Plaintiff alleges that on November 12, 2005, the Defendant Deputies illegally entered his property and illegally seized and impounded his mustang and damaged his property valued in the sum of \$11,999.00. Dkt. # 4.

On October 27, 2008, Defendants served Plaintiff with discovery requests. Dkt. # 28, p. 1. Defendants seek documentation supporting the valuation of the 1995 ½ Ford Mustang and current address and telephone numbers for Debra Jackson, Ken Stone and Russell Miller. *Id.*, p. 6.

ORDER 1

1 Plaintiff has not answered the discovery requests, although his answers were due on November
2 26, 2008. *Id.* The parties conferred and Plaintiff agreed to provide his answers to the discovery
3 requests by December 22, 2008. *Id.*, p. 2. On December 23, 2008, Plaintiff provided some
4 information orally, and said he was still working on his responses. *Id.* Plaintiff has not responded to
5 Defendants' last attempt to confer with him by letter dated February 9, 2009. *Id.*

6 A party may obtain discovery of relevant information. Fed. R. Civ. P. 26(b)(1). Relevant
7 information is defined as information that is "reasonably calculated to lead to the discovery of
8 admissible evidence." Fed. R. Civ. P. 26(b)(1). However, the Court may deny discovery of
9 relevant information if the "burden or expense of the proposed discovery outweighs its likely
10 benefit." Fed. R. Civ. P. 26(b)(2)(iii). In determining the likely benefit the Court may consider "the
11 needs of the case, the amount in controversy, the parties' resources, the importance of the issues at
12 stake in the litigation, and the importance of the proposed discovery in resolving the issues." *Id.*

13 Plaintiff has raised no objections to the discovery sought nor has he provided his responses in a
14 timely manner.

15 Accordingly, the Court **ORDERS**:

16 (1) Defendants' motion to compel (Dkt. # 27) is **GRANTED**; Plaintiff shall provide his
17 responses to Defendants' discovery requests **within fifteen (15) days of the date of
this Order.**

18 (2) The Clerk of the Court shall send a copy of this Order to Plaintiff and to counsel for
19 Defendants.

20 DATED this 6th day of May, 2009.

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24 Karen L. Strombom
25 United States Magistrate Judge
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